

**Regular Session Minutes – Selectmen’s Meeting  
Bedford High School – Principal’s Conference Room  
Monday, November 2, 2015, 6:00 p.m.**

**PRESENT:** Chair Mark Siegenthaler; William S. Moonan; Margot R. Fleischman; Caroline Fedele; Michael A. Rosenberg and Town Manager Richard T. Reed

**ALSO PRESENT:** Finance Director Victor Garofalo; Public Works Director Roy Sorenson; Town Engineer Adrienne St. John; Facilities Director Taissir Alani; Finance Committee member Ben Thomas; Town Counsel Brandon Moss; Bedford Center for the Arts President Elizabeth Hacala; Kevin Cronin; Community Preservation Committee candidate Maggie Debbie; Attorney Pam Brown; El Colima Manager Christian Moreno; Cucina D owner Christina DiCenso

---

Chair Siegenthaler called the meeting to order at 6:00 p.m.

**16-87            Contract Award  
                     Narrow Gauge Rail Trail Stone Dust Repaving  
                     Sunshine Paving – North Chelmsford, MA**

Town Engineer Adrienne St. John presented the Selectmen with a contract for the rehabilitation of the stone dust path along the Narrow Gauge Rail Trail between Great Road and the Billerica town line. Ms. St. John indicated that Sunshine Paving has worked with the Town for over four years and comes highly recommended. The scope of work would include refurbishing the existing stone dust path starting at Great Road and extending to Springs Road, Pine Hill Road, Sweetwater Avenue and ending at the Billerica town line. The company would be responsible for cleaning the sides of the street of overgrowth, overlaying a surface of approximately ½ inch of stone dust, regrading two parking lots and fixing the culvert pipe on the north side of the V.A. Hospital parking lot.

Mr. Rosenberg asked how long the project would take. Ms. St. John indicated that the work would start the week of Thanksgiving and be completed two and a half weeks later.

**Mr. Moonan made a motion to award a contract to the Sunshine Paving Corporation for the rehabilitation of the Narrow Gauge Rail Trail between Great Road and the Billerica town line with a unit price of \$4.00 per square yard. Ms. Fleischman seconded the motion.**

**The motion passed 4-0-0.**

**16-88                      Contract Award**  
**Vehicle Purchase Agreement – One (1) 4X4 Pickup Utility with**  
**Liftgate and Plow**  
**Stoneham Motor Company – Stoneham, MA**

Public Works Director Roy Sorenson presented the Selectmen with a contract to be awarded to Stoneham Motor Company for the purchase of a 4X4 Pickup Utility with Liftgate and Plow. Mr. Sorenson stated that the vehicle has a utility body and will replace an existing pick-up truck. Public Works has been going to this model more frequently as it allows tools to be stored and transported in the back. The vehicle was listed in Fiscal Year 2016 as a Vehicle/Equipment replacement. The pickup to be replaced is three years old and has approximately 91,000 miles. Mr. Sorenson indicated that it would be offered as a trade in. The Town would receive \$9,507 for the trade. The remainder would be funded by the contract before the Selectmen.

**Mr. Moonan made a motion to approve the purchase of one (1) 4X4 Pickup Utility with Liftgate and Plow to Stoneham Motor Company, 185 Main Street, Stoneham, MA 02180 at the net bid price of \$40,954. Funding for this item exists in the FY2016 Vehicle and Equipment Replacement, Article 13-29/16, Account 001.4000.5780.8133. Ms. Fleischman seconded the motion.**

**The motion passed 4-0-0.**

**16-89                      MWRA Bond Sale**

Finance Director Victor Garofalo presented the Selectmen with MWRA Bond Sale information. Mr. Garofalo indicated that this would be an interest free loan from the MWRA to last a duration of 10 years. This bond would cover the remaining cost of the Water Main Improvement project.

Mr. Rosenberg made a motion that the Selectmen of the Town of Bedford, Massachusetts, certify that at a meeting of the board held November 2, 2015, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the \$443,000 Water Bond of the Town dated November 16, 2015, to the Massachusetts Water Resources Authority (the "Authority") is hereby approved and the Town Treasurer or other appropriate town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on November 15 of the years and in the principal amounts as follows:

<u>Year</u>	<u>Installment</u>	<u>Year</u>	<u>Installment</u>
2016	\$44,300	2021	\$44,300
2017	44,300	2022	44,300
2018	44,300	2023	44,300

2019	44,300	2024	44,300
2020	44,300	2025	44,300

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing vote.

**Ms. Fleischman seconded the motion.**

**The motion passed 4-0-0.**

Ms. Fedele arrived at the meeting at 6:10 p.m.

**16-90          Approval of Bedford Center for the Arts Sublease**

Bedford Center for the Arts (BCA) President Elizabeth Hacala requested the Selectmen approve a sub-lease to Aavishkar LLC. This is a startup company of a Bedford resident who is exploring the option of having an office outside of her home. Ms. Hacala went on to say that Aavishkar LLC's sublease would be co-terminus with BCA's ending on February 29, 2016.

**Ms. Fleischman made a motion to approve a sublease for the studio known as Studio 103 in the Old Town Hall to Aavishkar LLC from the Bedford Center of Arts through February 29, 2016. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

**16-91          Miscellaneous Action Item**

**One Day Special Alcohol License**

**Bedford Desi Club- St. Michael's Parish – November 14, 2015**

**Praveen Jayaradu – Old Town Hall- November 7, 2015**

**Chapter 268A, Section 20(b) Exemption**

**Patricia Carluccio – Volunteer Coordinating Committee  
member to Substitute Teacher**

**Ms. Fleischman made a motion to approve a One Day Special Alcohol License for the Bedford Desi Club at St. Michael's Parish on November 14, 2015. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

**Mr. Rosenberg made a motion to approve a One Day Special Alcohol License for Simply Serving II f/b/o Praveen Jayaradu at Old Town Hall on November 7, 2015. Ms. Fleischman seconded the motion.**

**The motion passed 5-0-0.**

**Mr. Rosenberg made a motion to approve the waiver from Chapter 268A, Section 20 (b) for Patricia Carluccio. Ms. Fleischman seconded the motion.**

**The motion passed 5-0-0.**

**16-92 Minutes**

**Regular Session Minutes – October 19, 2015**

**Mr. Moonan made a motion to approve the Regular Session Minutes of October 19, 2015 as amended. Ms. Fleischman seconded the motion.**

**The motion passed 5-0-0.**

**16-97 November 2, 2015 Special Town Meeting Warrant  
Article 3 Recommendation and Assignment**

Article 3 pertains to making a zoning map change. Ms. Fleischman inquired if the property in question has been sold. Town Manager Richard Reed stated that he spoke with Attorney Pam Brown who represents Mr. Hamlin the developer. Attorney Brown indicated to Mr. Reed that the developer typically goes through the developing process, leases the space and once the leases are in place sells the property. Mr. Reed went on to say that this creates value to a buyer as they do not have to be concerned with zoning issues.

Mr. Moonan raised the issue as to whether or not this was spot zoning. Town Counsel Brandon Moss stated that it is not.

After a lengthy discussion, it was determined that this change to the Zoning Bylaw would not be in the Town's best interest. Mr. Rosenberg agreed to present this Article at Special Town Meeting.

**Mr. Rosenberg made a motion to recommend disapproval of Article 3. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

**16-93 Public Hearing**

**Request for All Alcohol License  
Blackbeard Enterprises, LLC dba Ken's NY Deli  
72 Great Road**

**Ms. Fleischman made a motion to open the Public Hearing. Mr. Rosenberg seconded the motion.**

**The motion passed 5-0-0.**

Attorney Pam Brown addressed the Selectmen. She is the legal representative for the owners of Ken's NY Deli. They are seeking to apply for an All Alcohol License and will relinquish their existing Wine and Malt license. Attorney Brown indicated that all the abutters had been notified of this change.

Ms. Fleischman asked if the All Alcohol license was for Ken's NY Deli only or the adjacent restaurant, Bella Maria's Cucina. Attorney Brown stated that the license would be for both restaurants.

Chair Siegenthaler was concerned that the letter before the Selectmen requesting this change was dated June 5, 2015 and makes no mention of Bella Maria's Cucina by name. Chair Siegenthaler also noted that the floor plan had been slightly altered since the first application was submitted. Attorney Brown said that a new letter and updated floor plan would be presented the following day to the Town Manager's office.

**Ms. Fedele made a motion to close the Public Hearing. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

**Ms. Fedele made a motion to grant an All Alcohol on premise license to Blackbeard Enterprises, LLC dba Ken's NY Deli and Bella Maria's Cucina contingent upon the receipt of a clarifying memo and floor plan. Ms. Fleischman seconded the motion.**

**The motion passed 5-0-0.**

**16-94            Public Hearing  
                    Transfer of All Alcohol License  
                    DDD Restaurants dba Cucina D to El Colima  
                    54 Middlesex Turnpike**

**Ms. Fleischman made a motion to open the Public Hearing. Ms. Fedele seconded the motion.**

**The motion passed 5-0-0.**

Attorney Pam Brown presented the Selectmen with a transfer of an All Alcohol license from DDD Restaurants dba Cucina D to El Colima. Ms. Fleischman asked if the seating arrangement would remain the same. Attorney Brown stated that in the short term it would remain unchanged however they anticipate renovations in the future.

**Mr. Rosenberg made a motion to close the Public Hearing. Ms. Fleischman seconded the motion.**

**The motion passed 5-0-0.**

**Mr. Moonan made a motion to approve the transfer of the All Alcohol License from DDD Restaurants d/b/a Cucina D to El Colima Bedford, LLC at 54 Middlesex Turnpike subject to the approval of a Common Victualler's License. Ms. Fedele seconded the motion.**

**The motion passed 5-0-0.**

**16-95            Committee Appointment Interview**

### **Community Preservation Committee**

Maggie Debbie interviewed for the vacant Community Preservation Committee (CPC) position. As the Selectmen liaison to the Community Preservation Committee, Ms. Fleischman discussed the charge of the Committee noting the candidate, Maggie Debbie, was one of the founding members of the Committee. Ms. Fleischman stated that the CPC is responsible for administering Bedford's participation in the Community Preservation Program. They review proposals for the use of those funds, monitor the budget and make recommendations to the Town. Ms. Fleischman noted that CPC is now operating on a 6 year plan that aligns itself with the Capital Plan. This has been helpful in identifying what projects would be good for the Town and the long term use of Community Preservation funds.

Chair Siegenthaler asked the candidate why she was interested in serving on the CPC. Ms. Debbie stated she served on CPC from 2001-2006 and really enjoyed it. She was interested in learning about the various projects in the Town. Ms. Debbie concluded by saying she is recently retired and has more time to devote to the Committee. Mr. Moonan noted that Ms. Debbie had served on a variety of committees in the past. He inquired as to why she stopped. Ms. Debbie stated that in 2006, she started a new job with longer hours and a longer commute. Her mother also needed more involved care. Ms. Debbie did not feel she was able to serve on the various committees at that point in time.

At this time, Chair Siegenthaler explained the Open Meeting Law, the Conflict of Interest Law, and the Rules of Civil Discourse. He also encouraged the interviewee to consider taking on a leadership role as chair in the future.

Chair Siegenthaler thanked Ms. Debbie for her time and interest in serving on the CPC.

#### **16-96            Committee Appointments                          Cultural Council                          Community Preservation Committee**

**Ms. Fleischman made a motion to appoint Maggie Debbie to the Community Preservation Committee for a term ending June 30, 2018. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

Ms. Fedele recused herself as her mother is a candidate for the Cultural Council. She left the Meeting at 7:05 p.m.

**Ms. Fleischman made a motion to appoint Kelley Dadah to the Cultural Council for a term ending June 30, 2018. Mr. Moonan seconded the motion.**

**The motion passed 4-0-0.**

**Ms. Fleischman made a motion to appoint Charles Lipson to the Cultural Council for a term ending June 30, 2016. Mr. Moonan seconded the motion.**

**The motion passed 4-0-0.**

**16-98          Adjourn to Town Meeting**

**Ms. Fleischman made a motion to end the Regular Session and adjourn to Town Meeting. Mr. Moonan seconded the motion.**

**The motion passed 4-0-0.**

**The meeting ended at 7:15 p.m.**